IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELALTE SIDE

APPEAL FROM ORDER NO.1084 OF 2005
WITH
CIVIL APPLICATION NO. 1321 OF 2005

Shaikh A. Abdul Hamid. ...Appellant.

Vs.

Santosh H. Keni & Anr. ...Respondents.

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Mr. Rakesh M.Pande for the Appellant.
Mr. Shreepad Murty with Ms. Swapana Samant for Respondent No.1.
Mr. S.B. Prabhavalkar with Mrs.Juvekar for Respondent No.2.

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CORAM : DR. D.Y. CHANDRACHUD, J.

December 7, 2005.

P.C.:

While declining an order of interim injunction, the Learned Trial Judge has noted that it is an admitted position that the structure of the Appellant was demolished. There were no details forthcoming as to when, if at all, this structure was reconstructed. That apart, even during the course of the hearing, the Appellant has been enable to produce any material whatsoever in support of his pleading that he was a tenant of the land admeasuring 1250 sq.ft. In that view of the matter, the order of the

Learned Trial Judge does not warrant interference. The appeal is dismissed.

In view of the disposal of the appeal, the Civil Application does not survive and is accordingly disposed of.

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